a"nd cons, the Government has decided to open the insurance sector to private Indian companies including joint-ventures. In order to ensure meaningful and healthy competition amongst the players, it is proposed to set up a Statutory regulatory Authority also. It is expected to introduce a legislation in the Winter Session of the Parliament in this regard.

त्रिपुरा सरकार का केन्द्रीय ऋणों को माफ करने का अनुरोध

338.**श्री रामजीलाल**: क्या वित्त मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या त्रिपुरा सरकार ने 31 मार्च,1998 तक के बकाया सभी केन्द्रीय ऋणों को माफ किए जाने हेतु कोई अनुरोध किया है;

(ख) यदि हां,तो कब और सरकार की इस पर प्रतिक्रिया क्या हैं;

(ग) क्या कुछ अन्य राज्य सरकारों से भी इसी प्रकार के अनुरोध-पत्र प्राप्त हुए हैं;और

(घ) यदि हां,तो इस संबंध में कब तक अंतिम निर्णय ले लिया जाएगा ?

वित्त मंत्री (श्री यशवन्त सिंन्हा): (क) जी,हां ।

(ख) त्रिपुरा के मुख्यमंत्री द्वारा अपने दिनांक 8 मई,1998 के पत्र में अनुरोध किया गया था । दसवें वित्त आयोग ने तीन स्कीमों के अंतर्गत राज्य सरकार को ऋण राहत दिए जाने की सिफारिश की थी । इन दो स्कीमों के अंतर्गत त्रिपुरा सरकार को वर्ष 1995-2000 की अवधि के लिए 4.27 करोड़ रूपए की राशि दी जा रही है । कुल ऋण माफी से संबंधित किसी अन्य अनुरोध पर अब 11 वें वित्त आयोग द्वारा विचार किया जाएगा ।

(ग) जीं,हां ।

(घ) ग्यारहवां वित्त आयोग,जो कि गठित किया जा चुका है,अपने विचारार्थ विषयों के अंतर्गत इन अनुरोधों पर विचार करेगा ।

LIC Zonal office for North-Eastern Region

239. DR. ARUN KUMAR SARMA: Will the Minister of FINANCE be pleased to state:

(a) whether a separate zonal office of the LIC specifically for the North-East Region was created;

(b) if so, the objective, date of creation of that office with present location of functioning; and

(c) the reason for this office functioning from Calcutta defeating its purpose and by when this is likely to be operative from Guwahati?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (BANKING, REVENUE AND INSURANCE) (SHRI KADAMBUR M.R. JANARTHANAN): (a) No, Sir.

(b) Does not arise.

(c) In the Life Insurance Corporation of India the Branch Offices are complete activity centres for growth, thrust and customer's services and all duties relating to these areas are performed by them. The Divisional Offices and Zonal Offices are essentially meant for supervising the branch operations. There are four Divisional Offices located in Assam and the Zonal Office in Calcutta monitors the functions of all the offices of LIC situated in the States of West Bengal, Bihar, Orissa, Assam and other North Eastern States. Presently, there is no proposal to open a new Zonal Office at Guwahati.

Permission to Companies to buy-back their shares

240. SHRI S. M. KRISHNA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Govt, have issued an Ordinance permitting buybacks of shres;

if so, the details of the norms laid down by SEBI for such buyback;

(b) what are the circumstances/limitations for such decision; and

(c) whehter BSE Sensex is the real parameter/barometre of Indian economic health; if so, to what extent?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) Yes, Sir. Clause

4 of the Companies (Amendment) Ordinance [19 of 1998] prescribes, *inter-alia,* that a company, if- authorised by its articles, can buy-back its shares upto an amount not exceeding twenty five per cent of total paid up capital and free reserves with the approval by a special resolution passed in the general meeting. Details of the norms laid down by SEBI for such buyback are given in the enclosed statement. *(See* below).

(b) Suggestions were received from Chambers of Commerce, Corporate Sector, as also individuals to give a fillip to the Capital Market through the buy-back mechanism. The Working Group set up in 1996 had also recommended this measure.

(c) Sensex is an index of selected securities traded in bombay Stock Exchange (BSE) and is the most widely followed indicator of the Indian Stock Market activity.

Statement

Details of the norms laid down by SEBI for buyback of shares

(i) The scope of the Regulations covers listed securities of the company only. In other words the unlisted securities issued through private placement or otherwise is not covered by the Regulations.

(ii) The buy back has been permitted through the tender offer mode for buy back from the existing shareholders on proportionate basis and from odd lot holders. Similarly, the book building mode which is a modified version of the internationally practised Dutch Auction and purchases through stock exchanges had been permitted for open market transaction.

(iii) In the purchases made through the stock exchange, the details of purchases made in the buy back scheme of the company shall be made available to the stock exchange on daily basis which in turn shall make this information available to public regularly.

(iv) The regulations have an accent on disclosures; they provide for extensive disclosures in the Explanatory Statement to be annexed for the notice for the general meeting and the Letter of Offer.

(v) Adequate care has also been taken to disclose the pre and post buy back holdings of the promoters.

(vi) Promoters are not permitted to participate in the buy back through the stock exchange mode.

(vii) Buy back through negotiated deals, spot transactions or private arrangements is not permitted.

(viii) In order to ensure strict compliance with the provisions of the regulations, merchant banker has been made to be associated in every offer for buy back wherein he would be required to give a due diligence certificate.

(ix) With a view to ensure completion of the buy back process speedily, the Regulations provide for time bound steps in every mode. For example, except in the cases of purchases through stock exchanges, an offer for buy back shall not remain open for more than 30 days. The verification of shares received in buy back has to be completed within 15 days of the closure of the offer. The payments for accepted securities has to be made within 7 days of the completion of verification and the shares have to be extinguished and physically destroyed within 7 days of the date of payment. The extinguishment certificate is required to be filed within 7 days of the physical destruction of the certificates.

(x) To ensure security for per-fomance of its obligation, the company making an offer for buy back shall have to open an escrow account on the same lines as provided in the Take Over Regulations.

These regulations have been notified by the SEBI in the Gazettee Extraordinary dated 14th November, 1998.

Amendments to Election Laws

241. PROF. VIJAY KUMAR MALHOTRA: Will the Minister of LAW, JUSTIC AND COMPANY AFFAIRS be pleased to state:

(a) whether Government propose to bring about comprehensive amendments to the Election Laws of the country; and

(b) if so, the details in this regard?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) and (b) A set a proposals on electoral reforms was discussed by the Government with the political parties on 22.5.1998 and pursuant to a decision taken in that meeting, a High Powered Committee under the chairmanship of Shri Indrajit Gupta, Member of Parliament, has been constituted to suggest concrete measures for providing State Funding to recognized political parties. The Committee would also consider, the relatead proposals pertaining to maintenance of accounts by political parties and audit thereof, ban on donation by companies to political parties, inclusion of expenses of political parties in the election expenses of candidates for the purposes of ceiling on election expenses and empowering of Election Commission to fix ceiling on election expenses before every general election. After the receipt of the report, the Government would hold further discussions with political parties, The Government would thereafter consider giving effect to such proposals, on electoral[1] reforms on which consensus feas been arrived at amongst political parties.

एकाधिकार तथा अवरोधक व्यापारिक व्यवहार अधिनियम,1969 के अन्तर्गत आने वाले प्रमुख निजी औद्योगिक घराने

242.**श्री गोपाल सिंह जी.सोलंकी** :

श्री दिलीप सिंह जूदेव:

क्या विधि,न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि:

(क) अद्यतन स्थिति के अनुसार एकाधिकार तथा अवरोधक व्यापारिक व्यवहार अधिनियम,1969 के अंतर्गत आने वाली प्रमुख निजी कम्पनियों तथा बड़े औद्योगिकी घरानों की राज्यवार कुल संख्या कितनी हैं;

(ख) पिछले तीन वर्षो के दौरान प्रतिवर्ष इस अधिनियम का उल्लंघन करने वाले निजी क्षेत्र के 10 शीर्ष औद्योगिक घरानों के खिलाफ सरकार द्वारा की गई कार्यवाही का अद्यतन ब्यौरा क्या हैं;

(ग) उनके द्वारा किए गए उल्लंघनों का ब्यौरा क्या है;और

(घ) उक्त अवधि के दौरान उनके द्वारा सरकार को मद-वार अदा की गई की राशि कितनी है और यदि नहीं,तो इसके क्या कारण हैं?

विधि,न्याय और कम्पनी कार्य मंत्री (श्री एम.तम्बी दुरई): (क) से (घ) 27.9.1991 से एकाधिकार तथा अवरोधक व्यापारिक व्यवहार अधिनियम,1969 के अध्याय III के भाग क को हटाए जाने के फलस्वरूप अब बड़े औद्योगिक घरानों को अधिनियम के अन्तर्गत केन्द्रीय सरकार के पास पंजीकृत कराने की आवश्यकता नहीं है । इसलिए बड़े औद्योगिक घरानों से संबंधित आंकड़ों को कम्पनी कार्य विभाग द्वारा अलग से समेकित नहीं किया जाता है ।

न्यायाधीशों की नियुक्ति में अनुसूचित जाति/अनुसूचित जनजातियों के लिए आरक्षण

243.**श्री जनेश्वर मिश्र**: क्या विधि,न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि विभिन्न उच्च न्यायालयों तथा उच्चतम न्यायालय में न्यायाधीशों के पद भारी संख्या में खाली पड़े हुए हैं;